

AMENDED IN ASSEMBLY APRIL 13, 1999

AMENDED IN ASSEMBLY APRIL 5, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

## ASSEMBLY BILL

**No. 692**

**Introduced by Assembly Member Thompson**

February 23, 1999

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An act to add Section 5081 to the Vehicle Code, relating to vehicles.

### LEGISLATIVE COUNSEL'S DIGEST

AB 692, as amended, Thompson. Special interest license plates: California Sesquicentennial Foundation.

Existing law requires the Department of Motor Vehicles to issue special interest license plates, as specified, containing a distinct design or decal of participating organizations, to any person, to be displayed in lieu of regular license plates.

This bill would add a special interest license plate that bears a full-plate design in the shape of a California grizzly bear to the special interest license plate program. The bill would require the additional ~~funds~~ *fees* collected by the issuance, *renewal, transfer, and substitution* of these special interest license plates, *which fees would be subject to adjustment by the department, as specified*, and proceeds from licensing and merchandising a trademark of the plate design to be deposited in the California Bicentennial Foundation Account, created by the bill; in the California Environmental License Plate Fund, *except that the first \$5,000,000 collected would be*

*required to be transferred to the General Fund. The money in the account would ~~to~~ be used, when appropriated, by the California Sesquicentennial Foundation, as specified.*

This bill would require the foundation to trademark the grizzly bear plate design and to annually report to the Legislature, as specified.

*The bill would provide that the California Sesquicentennial Foundation has the exclusive right to license logo items based on the design of the grizzly bear special interest license plates authorized by this bill and would require the foundation to assign to the appropriate state entity certain rights and would require the entity to hold the revenues in trust for the purposes provided in the bill.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 5081 is added to the Vehicle  
2 Code, to read:

3 5081. (a) The department, in consultation with the  
4 California Sesquicentennial Foundation, shall design and  
5 make available for issuance pursuant to this article special  
6 interest license plates. Notwithstanding Section 5060,  
7 these plates shall bear a full-plate design in the shape of  
8 the profile of a California grizzly bear similar to that  
9 which appears on the California flag. Any person  
10 described in Section 5101, upon payment of the additional  
11 fees set forth in subdivision (b), may apply for and be  
12 issued a set of these special interest license plates.  
13 Notwithstanding subdivision (a) of Section 5060, the  
14 plates may be issued in a combination of numbers or  
15 letters, or both, requested by the owner or lessee of the  
16 vehicle.

17 (b) In addition to the regular fees for an original  
18 registration or renewal of registration *and subject to a fee*  
19 *adjustment under subdivision (c)*, the following  
20 additional fees shall be paid for the issuance, renewal, or  
21 transfer of the special interest license plates authorized  
22 pursuant to this section:



(1) For the original issuance of the plates, fifty dollars (\$50).

(2) For a renewal of registration with the plates, forty dollars (\$40).

(3) For transfer of the plates to another vehicle, fifteen dollars (\$15).

(4) For each substitute replacement plate, thirty-five dollars (\$35).

(5) For the conversion of an existing special interest or environmental license plate to the special interest license plate authorized pursuant to this section, sixty-five dollars (\$65).

*(c) In every year ending with a zero or five, if the department, after consulting with the California Sesquicentennial Foundation, determines that the fees collected pursuant to subdivision (b) were greater or less than needed to pay for actual and reasonable administrative and marketing costs described in subdivision (d), the department shall adjust the fees to compensate for the overcollection or undercollection of revenues.*

*(d) After deducting its administrative cost under this section and those costs of the California Sesquicentennial Foundation incurred to produce promotional materials necessary for the marketing of the special interest license plate, the department shall transfer, to the General Fund the first five million dollars (\$5,000,000) of additional revenue derived from the issuance, renewal, transfer, and substitution of the special environmental design license plates, representing the five million dollars (\$5,000,000) appropriated to the California Gold Discovery to Statehood Sesquicentennial Commission by Assembly Bill 485 of the 1999–2000 Regular Session of the Legislature. Thereafter, the department shall deposit the additional revenue derived from the issuance, renewal, transfer, and substitution of special environmental design license plates, less administrative and marketing costs, in the California Bicentennial Foundation Account, which is hereby created in the California Environmental License Plate Fund. Upon appropriation by the*

1 Legislature, the money in the account shall be allocated  
2 by the Controller to the California Sesquicentennial  
3 Foundation or its successor for expenditure for the  
4 exclusive trust purposes of funding the bicentennial of  
5 California gold discovery, gold use, and statehood and for  
6 the preservation and restoration of California's heritage.

7 ~~(d)~~

8 (e) (1) If the California Sesquicentennial Foundation  
9 is allocated funds under subdivision ~~(e)~~ (d), the  
10 foundation shall trademark the grizzly bear plate design  
11 described in subdivision (a). Any proceeds from licensing  
12 and merchandising that trademark shall be deposited in  
13 the California Bicentennial Foundation Account.

14 ~~(e)~~

15 (2) *The California Sesquicentennial Foundation has*  
16 *the exclusive right to license logo items based on the*  
17 *design of the grizzly bear special interest license plates*  
18 *authorized by this section. When the California*  
19 *Sesquicentennial Foundation or its successor has fulfilled*  
20 *its function, any license agreements and marks, including*  
21 *registration, pertaining to the grizzly bear plate design*  
22 *shall be assigned to the appropriate California*  
23 *government entity that shall hold the revenues in trust*  
24 *for the purposes provided in subdivision (d).*

25 (f) Notwithstanding Section 7550.5 of the  
26 Government Code, the California Sesquicentennial  
27 Foundation shall report to the Legislature on or before  
28 June 30 of each year on its use and expenditure of the  
29 money in the California Bicentennial Foundation  
30 Account, beginning one year after the initial issuance of  
31 the special interest license plates authorized by this  
32 section.

